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OFFICE OF PETITIONS

In re Application of
Uehara, et al.
Application No. 10/670,197
Filed: September 26, 2003
Attorney Docket No. 031196

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ON PETITION

This is a decision on the papers styled, "Response To Notice Of Omitted Items," filed July 18, 2004, which has been treated as a petition under 37 CFR 1.53, requesting that the above-identified application be accorded a filing date of September 26, 2003, including pages 31-46 of the specification (description and claims).

The application was filed on September 26, 2003. However, on June 4, 2004, the Office of Initial Patent Examination (OIPE) mailed a "Notice Of Omitted Items In A Nonprovisional Application" (Notice) that stated the application had been accorded a filing date, but pages 31-46 of the specification (description and claims) appear to have been omitted.

In response, on June 18, 2004, the instant petition and a copy of pages 31-46 of the specification (description and claims) were submitted. The papers were accompanied by a copy of applicant's postcard receipt that acknowledges receipt of fifty (50) pages of application on September 26, 2003. A review of the application file indicates the presence of thirty-four (34) pages of application (specification, claims and abstract). It is assumed that the sixteen (16) pages that contain pages 31-46 of the specification (description and claims) were misplaced by the Office.

In view of the above, the petition is granted.

The petition fee has not been charged.

This application will be returned to OIPE for further processing with a filing date of September 26, 2003, using the copy of pages 31-46 of the specification (description and claims), supplied on June 18, 2004.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 306-9200.

A handwritten signature in dark ink, appearing to read 'EJ Tannouse', with a long horizontal flourish extending to the right.

Edward J. Tannouse
Senior Petitions Attorney
Office of Petitions
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